W.P. No.1393 of 2007 (S/S)
With
Stay App. No. Nil / 07

Hon. P.C. Pant, J.

Heard Mr. Anil Bisht, learned counsel for the petitioner and Mr. H.M. Raturi, learned Standing Counsel for the respondents.

By means of this petition, the petitioner has challenged the order dated 03.09.2007 (copy Annexure – 1 to the writ petition), whereby the petitioner, an Assistant Teacher, has been transferred from Junior High School, Nandpur Khempur Ramnagar to Khairda Ramgarh (both within the District Nainital).

The impugned transfer order appears to have been passed in pursuance of the Government Order dated 13.07.2007, whereby the State Government has reflected the policy that the vacancies in the Schools of 'Durgam' areas shall be filled.

However, learned counsel for the petitioner argued that the petitioner is a handicapped lady and is aged 55 years, as such, at this juncture she is facing too much hardship by the impugned order transferring her.

Learned counsel for the petitioner and learned Standing Counsel agree that this writ petition be disposed of summarily directing the respondent No. 2 to decide the representation of the petitioner, as the factual aspects can be seen by the authorities concerned.

Accordingly, the writ petition is disposed of summarily with the direction that the petitioner may make a representation, within a week from today to respondent No. 2, who shall consider and decide the same within a period of one month from the date certified copy of this order is produced before said authority along with the representation.

(Stay application also stands disposed of).

(P.C.P., J.)
25.09.2007

HN